

MINUTES OF MEETING  
DAGSBORO TOWN COUNCIL  
BETHEL CENTER- 28307 CLAYTON STRRET  
MONDAY MAY 19, 2014

Call Meeting to Order: The regular meeting of the Town Council was called to order at 7:00p.m. By Brad Connor, Mayor. Those in attendance were Mayor Connor, Stacey Long, Town Administrator, Vice Mayor Truitt, Councilwoman Ulrich, Councilwoman Eckerd, Councilman Baull, Attorney Rob Witsil Jr., Kyle Gulbranson, Town Planner and others listed on the sign in sheet.

The Court of Appeals was opened for any tax appeals. There was none at the time, so the hearing was left open while Council moved to the next items.

April 28, 2014 minutes are not complete at this time.

Planning & Zoning Report:

1. Chapter 275 Article 12 sign regulations of the Dagsboro Code consideration of recommending an Amendment to the ordinance to allow for Digital Electronic Signage in the highway commercial district. Stacey reported that the Planning and Zoning Commission is still reviewing it. Kyle states for two months the Planning & Zoning Commission have been contemplating an amendment to the signage code to permit Electronic signs to the highway commercial district. The Commissioners have gone through and used the model in Georgetown and refined that to Dagsboro's needs. The recommendation is electronic signs will be allowed only in the highway commercial district and only for parcels on the highway itself. Each parcel will only be allowed one electronic sign and would have to be intragrated and part of sign that is permitted on the property. You should have the draft for your consideration next month to move forward. Councilwoman Eckerd asks what does that do with the new fire station sign and Indian River High School sign. Kyle states that they didn't address those because they are institutional uses and your code allows you to approve those independently. Kyle states the amendment is only for highway commercial zoning district.
2. Comprehensive land use plan to consider any changes and updates required by the state every five years. Kyle states last month Planning & Zoning Commission reviewed the 2009 Comprehension Plan. Every five years the Town needs to review for possible changes that might need to be made. Three areas that Planning and Zoning Commission thought needed to be updated. Demographics: The plan was adopted in 2009. In 2010 the new census data came out. That information needed to be incorporated in that plan. Population Projections: In 2009 the plan was based on a booming real-estate market in that time period. The plan had a slow growth rate and a high growth rate. The Town is pretty much on target with the slow growth rate. High growth rate had a population of 5,000 people in Dagsboro by 2020. We are not going to make that so we are going to scale back. Transportation Section: Planning & Zoning Commission want to concentrate on making sure properties are connected with sidewalks and safe passages to schools. Also the blue Route for Rt. 113 bypass was favored. Now the Town is not in favor of it and needs to be noted in the Comp Plan.  
Annexation areas that were established were fairly large. There wasn't any thought they needed to be changed at this time.

Old Business:

1. Repairs to the interconnect pit to eliminate flooding inside the pit. Stacey stated that the engineer is recommending that we go ahead and seal it with a hydraulic cement, and install the pump out there too since some of the water coming in is ground water. The problem during a storm event is water flowing into the pit. Minor grating around the pit should be done and that would divert the water around the vault itself. The big concern is that the pit is constantly full of water. The corrosive result could potentially reduce the life of the equipment. The estimate is \$365.00 for the sealant. A motion was made by Vice-Mayor Truitt to approve the use of hydraulic cement to seal the meter pit and it was seconded by Councilman Baull. All in favor. Motion carried.
2. Review and consideration of opposed operation maintenance contract for the water distribution system. Stacey comments Artesian's proposal for 2014-2015 is for \$9,724.08 for the operation of maintenance. Plus a \$1200.00 on call charge. Delaware Rural Water has proposed \$16,500 for operation and maintenance which includes utility mark outs. A \$1200 on call charge is separate. The difference between the two figures is Artesian charges us per ticket for

mark outs. She took the average of the last two years 2012 and 2013 and came up with \$472.22. Per year for mark outs and \$734.20 just for having them accept tickets for us. Delaware Rural Water's proposal includes mark outs regardless of how many tickets we get. They are covering that all under the \$16,500. Last year we did two hydrant maintenances. One was provided through Artesian for their monthly operation fee. We paid an additional \$4,125 last year for Delaware Rural Water to provide another towards the end of the year. Every three years, we have to do a lead and copper sampling. Artesian has proposed \$300.00. Delaware Rural Water \$350.00. Every three to five years in accordance with Fire Marshall Regulations we have to conduct routine flow test on all the hydrants. I do not have a quote from Artesian. Delaware Rural Water just did one for us last month for \$5,625.00. Councilwoman Eckerd asks so at your suggestion, we should stay with Artesian? Stacey replies I think until we can really tell the mark outs are beginning to cost more each year. A motion was made by Councilwoman Eckerd and seconded by Councilman Baull to accept Artesian contract for another year. Motion carried.

Court of Appeals: Attorney Witsil states its authority originates in Section 24 of the Title Section D. Town Council will hold a Court of Appeals at a regular meeting at which time and place, they shall hear appeals from the set annual assessment. The decision of the Town Council sitting as the Board of Appeals shall be final and conclusive and said Town Council shall revise and complete set assessment at this sitting. No member of the Town Council shall sit upon his own appeal but the same shall be heard and determined by other Council persons. The Tax Assessor shall be present on the day fixed for the hearing of appeals and shall furnish to the Town Council such information and answer to such questions as the Town Council may require in respect to any assessment for which an appeal has been taken. The Town shall have the authority to enforce the attendance of the Tax Assessor by the appropriate process. Mr. Riley states the property is measured and listed and it is market valued as of 1993. The County's market value is as of 1974. Mr. Riley states the value of the property does not change unless there has been some improvement or demolition to adjust the structure itself. The appeals was opened to hear any appeals. There were three property owners all from Chapel Crossing development with questions as to why they are paying higher taxes when they feel their appraisal of their property has decreased. Stacey explained to them that the appraised value and assessed value are two separate figures. The assessed value is based on what it would have cost someone to build that house back in 1993. The reason their taxes have increased is due to the tax rate increase last year. Mr. Riley stated he would take a look at the assessed values of those property owners to make sure they are properly assessed and will report back to the Town.

FY2015 Budgets: One of the changes to be made was to separate the different Grant Funds from the Police Department and insert them into restricted budgets. It was included in with SALLE/EIDE, Highway Safety Sleef Grant and Violent Crime Grant. That was taken out the General budget and placed it into a restricted account.

Treasurer's Report: General checking \$115,475.06, Public Service Money Market \$5,462.17, Police Grant \$965.55, Salary account 12,004.76, Property transfer checking account \$69,342.57, 3CD's \$28,051.69, \$47,758.25 and \$5,145.38. Municipal street Aid checking \$1,116.79 and 2,012.10. Cemetery account checking \$1,131.93, Savings 3,769.86. 3 CD's \$32,693.51, \$44,672.84 and \$32,055.74. SALLE/EIDE \$7,161.72. Water fund checking 5,459.83 and savings \$203,641.93 and the Reserve \$ 33,784.02. All checks written between last month and this month are attached to report. Councilwoman Eckerd made a motion to accept the Treasurer's report and it was seconded by Councilman Baull. All in favor. Motion carried.

Administrative/Financial/Code Enforcement: Two temporary sales permits have been issued. One for Parsons Farm Produce issued on April 30 at 33334 Main Street where the Super Clean Demo building is. On 3/31 the American Legion Post was issued a temporary sales permit for the barbeque chicken sales at the same location. There were two building permits issued, one for a shed on New Street and one for a kitchen remodel on Main Street.

Stacey reports the Marconi Property is currently waiting on an inspection report from the building official from URS. On May 1<sup>st</sup> she and URS building official conducted an interior inspection on both structures the property. King property: The owner plans to start this project by July and has asked that the permit be extended. It was issued May of 2013 of last year. Stacey will conduct an inspection and report status at the next meeting.

Water Department: Stacey reported on May 13<sup>th</sup> she and the Mayor met with the Town of Millsboro's manager and assistant manager. Millsboro conducted flow tests at the hydrants on the other side at the inter connect, to verify that the current meter is working properly. The letter that Stacey wrote was asking for \$107,634.94 and that included the replacement meter they installed back in April of 2011. Town of Millsboro has come back and stated they are willing to pay half of what we asked for excluding the meter replacement of \$8,549. We have asked them to submit a formal letter with their offer.

Residents would like to know exactly how the increased revenues are being used. Duane Kenton, Town Clerk stated she is inquiring as to whether her position is part of the discussion of the executive session? Brad Connor, Mayor states yes, it is. Mrs. Kenton states she would like to either waive my right of confidentiality or have it addressed during public session. Or as to be present during executive session. Council stated she can sit in during executive session.

John Hansken of Warrington Street had concerns about employee raises. He states he worked many years for a company and he never received a raise. Stacey reports raises have gone out of different funds. He also talked about the water bill and not receiving one. Stacey reports issues concerning the water bill was in the newsletter.

Cathy Flowers of New Street states she was opposed to the tax hike. Mrs. Flowers was on Council and voted no. She stated she was told we had to do it to pay our bills. She stated she is concerned about expenses. Mrs. Flowers asked questions regarding payment for another building and if taxes were going to be raised again. Mayor Connor answers no, there won't be another tax hike to fund a New Town Hall. Stacey states the public will know before anything is decided because it is public funded money. Stacey states it's going to be on the agenda under your regular public session when the time comes. Attorney Witsil states there is no referendum on that sort of matter unless the Town Council determines that there should be some sort of referendum.

William Chandler asked if any surplus would be dedicated towards replenishing the certificate of deposit cashed in last year. Stacey reports not at this time has the CD been replenished. Right now we are still operating on last year's budget. When July 1 comes around we will be operating on the newly adopted budget and we could add the replenishment of the CD in the new budget if Council wished. Councilwoman Eckerd states you have three new people on your Council. I think all three of us want to know how that certificate of deposit was spent. Councilwoman Eckerd states I was told in the meeting that it was spent on a new policeman. Stacey states yes, it had to be cashed in for funding part time policeman and general payroll expenses. Councilwoman Eckerd states at this point we don't have that policeman anymore. We are back to three policemen. Councilwoman Eckerd states we will have extra money to put back in the CD. Stacey states those additional police officers are still included on this year's budget. Mayor Connor adds Floyd is possibly looking for a fourth to take the place of the officer that resigned in March.

At 8:30 p.m. Councilwoman Eckerd made a motion to enter Executive Session. Vice Mayor Truitt seconded motion. All in favor. Motion carried.

Council re-entered regular session at 9:22 p.m. with a motion made by Councilmember Ulrich and seconded by Councilmember Eckerd. All were in favor, motion carried.

Vice Mayor Truitt made a motion to approve the Executive Session minutes for 1/28/13, 9/23/13 and 10/9/13. Mayor Connor seconded the motion. All were in favor, motion carried.

Councilmember Eckerd made a motion to approve the Executive Session minutes for 1/27/14, 2/24/14 and 4/28/14. Councilmember Baull seconded the motion. All were in favor, motion carried.

Councilmember Eckerd made a motion to adjourn the meeting at 9:28p.m. Councilmember Ulrich seconded the meeting. All were in favor, motion carried.

Respectfully Submitted,

Autumn Miller

Town Clerk